

## **REMARKS**

Claims 51-54, 56, 57 and 71-76 will be pending upon entry of the present amendment. Claims 51, 52, 54, 56, 57, 71, 72 and 74-76 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 5,715,314 ("Payne"). Claims 58, 59 and 61-64 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Payne in view of U.S. Patent No. 6,182,052 ("Fulton"). Claims 53 and 73 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Payne in view of U.S. Patent No. 6,236,971 ("Stefik"). Claim 60 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Payne in view of Fulton and further in view of U.S. Patent No. 6,236,971 ("Stefik"). Applicants respectfully traverse.

### ***Interview Summary***

Applicants' undersigned representative, Mr. Eiferman, and Examiner Gilligan participated in a telephonic interview on October 23, 2006. During the interview, Mr. Eiferman proposed the above claim amendments. Examiner Gilligan stated that these claim amendments appeared to overcome the rejections of record.

### ***Rejections Under 35 U.S.C. § 102(e)***

Claims 51, 52, 54, 56, 57, 71, 72 and 74-76 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 5,715,314 ("Payne"). Applicants respectfully traverse.

Independent claims 51 and 71 recite that, in response to receiving a request for reservation and after receiving the payment data from the buyer computer system, the content manager computer system forms binding data which binds the transaction to the designated client computer system and sends the formed transaction data to the merchant computer system.

Payne discloses that the merchant computer<sup>1</sup> forms a payment URL including information about a product and a buyer network address and sends the payment URL to the

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<sup>1</sup> The Office Action alleges that the "merchant computer" of Payne is analogous to the "content manager" of the present application. The Office Action further alleges that the "payment computer" of Payne is analogous to the "merchant computer" of the present application.

buyer computer, which ultimately sends the payment URL to the payment computer. However, in Payne, the payment URL is formed at the beginning of the transaction before the buyer has paid for the product, agreed to purchase the product, or specified a recipient (e.g., the claimed "client" computer system) for the product. Thus, because the payment URL is formed at the beginning of the transaction, the payment URL cannot possibly include binding data which binds the transaction to a specified a recipient (e.g., the claimed "client" computer system). Moreover, because Payne discloses that the payment URL is used to identify the product to the payment computer, Payne explicitly teaches away from forming the payment URL at any time other than at the beginning of the transaction.

Accordingly, Payne does not teach or suggest at least the following portions of independent claims 51 and 71:

in response to receiving the request for reservation and after receiving the payment data from the buyer computer system, forming by the content manager computer system transaction data which includes (i) transaction identification data, (ii) product identification data which identifies the digital product, and (iii) binding data which binds the transaction to the designated client computer system;  
sending the formed transaction data from the content manager computer system to the merchant computer system;

Thus, Applicants respectfully submit that independent claims 51 and 71 are not anticipated by Payne. Applicants further submit that dependent claims 52, 54, 56, 57, 72 and 74-76 are patentable at least by reason of their dependency. Accordingly, reconsideration and withdrawal of the 35 U.S.C. § 102(e) rejections are respectfully requested.

***Rejections Under 35 U.S.C. § 103(a)***

1. Claims 58, 59 and 61-64 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Payne in view of U.S. Patent No. 6,182,052 ("Fulton"). Applicants note that claims 58, 59 and 61-64 are hereby cancelled to advance prosecution of this application.

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2. Claims 53 and 73 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Payne in view of U.S. Patent No. 6,236,971 (“Stefik”). Applicants respectfully traverse and submit that dependent claims 53 and 73 are patentable at least by reason of their dependency.

3. Claim 60 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Payne in view of Fulton and further in view of U.S. Patent No. 6,236,971 (“Stefik”). Applicants respectfully traverse and submit that dependent claim 60 is patentable at least by reason of its dependency. Accordingly, reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejections are respectfully requested.

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**CONCLUSION**

In view of the above amendments and remarks, Applicants respectfully submit that the present application is in condition for allowance. Reconsideration of the application is respectfully requested. Applicants respectfully submit that no new matter has been added by the above amendment.

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